

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ORDER

For the reasons explained in the Memorandum entered contemporaneously herewith, the Court rules as follows:

(1) Defendant's Motion For Summary Judgment As To Plaintiff Greg Baltimore (Docket Entry No. 37) is hereby GRANTED IN PART and DENIED IN PART. The Motion is GRANTED with regard to Plaintiff Baltimore's claims under 42 U.S.C. § 1981, for hostile work environment under Title VII and the THRA, and for the City's failure to select him for Fire Chief in 2004 under Title VII and the THRA. The Motion is DENIED with respect to Plaintiff's Title VII and THRA claims for the City's failure to promote him to Lieutenant in 2000, Captain in 2002, Deputy Chief in 2005 and Assistant Chief in 2005.

(2) Defendant's Motion For Summary Judgment As To Plaintiff Rick Cotton (Docket Entry No. 60) is hereby GRANTED IN PART and DENIED IN PART. The Motion is GRANTED with regard to Plaintiff Cotton's claims under 42 U.S.C. § 1981 and his claims of disparate treatment and retaliation brought under Title VII and the THRA. The Motion is DENIED with regard to Cotton's hostile work environment claim under Title VII and the THRA and his challenge to the City's failure to promote him to Lieutenant in 1998 and Captain in 2006 under Title VII and the THRA.

(3) This case will proceed to Final Pretrial Conference on **Monday, July 23, 2007 at 2:30 p.m.**, as previously scheduled.

IT IS SO ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE